

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-MD-3071  
MDL No. 3071**

**This Document Relates to:  
3:23-MD-3071  
3:23-CV-440**

**Chief Judge Waverly D. Crenshaw, Jr.**

**BELL PARTNERS INC. MOTION TO DISMISS PLAINTIFF NANCY ALEXANDER  
AND RELATED CLAIMS**

Defendant Bell Partners Inc. (“Bell Partners”) respectfully moves this Court to dismiss Plaintiff Nancy Alexander (“Ms. Alexander”) and her claims pursuant to Federal Rules of Civil Procedure 12(b)(6) because there are no allegations that any of Bell Partners’ horizontal competitors operated in Asheville, North Carolina, where Plaintiff Alexander alleges her antitrust injury occurred. With no other Lessor Defendants alleged in Asheville with whom Bell Partners could have conspired, Plaintiff Alexander has not and cannot plausibly allege an unlawful agreement impacting her and her rental prices. Moreover, Asheville, North Carolina is not one of the regional geographic submarkets alleged by Plaintiffs. Therefore, Ms. Alexander has failed to plead facts sufficient to state any claim against Bell Partners and her claims should be dismissed with prejudice.

*[signature page follows]*

DATED: October 9, 2023

Respectfully submitted,

/s/ Marguerite S. Willis

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*Counsel for Defendant Bell Partners, Inc.*

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered on the CM/ECF system.

DATED this 9<sup>th</sup> day of October, 2023.

/s/ Marguerite S. Willis  
Marguerite S. Willis